

**REMARKS**

Claims 51-65 are pending in the current application. Claims 51-65 currently stand rejected, and claims 51, 54, 57, 60, and 63 have been amended. Reconsideration and allowance of claims 51-65 are respectfully requested in light of the preceding amendments and following remarks.

**Claim Rejections – 35 U.S.C. § 103**

Claims 51-65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat 6,483,983 to Takahashi et al. ("Takahashi") in view of US Pat 6,009,234 to Taira et al. ("Taira"), and US Pat Pub 2003/0133699 to Ando et al. ("Ando"). Applicants respectfully traverse these rejections for the reasons detailed below.

Initially, Applicants note that the independent claims have been amended to recite "first size information indicating an actual data size of each thumbnail picture" and "second size information setting a data size allocated to record the thumbnail picture." Where the Examiner applies start/end addresses of I-Pictures in Ando for teaching "an actual data size of each thumbnail picture," Applicants respectfully submit that Ando does not additionally disclose **second size information that determines how much data is allocated for recording the I-Pictures (thumbnail picture)**. As recited in the claim, the second size information must be present in addition to the first size information that indicates the actual size of the thumbnail picture. The second size information can be used, for example, to set a

maximum menu HOB size between menu HOB start and end addresses, Menu\_P\_HOB\_SA and Manu\_P\_HOB\_EA, as in the example embodiments of FIG. 10 and paragraphs [0057]-[0059] (numbering as published) of the present application.

Ando, however, teaches that **TS packs 34**, which store a TS packet forming an I-Picture, **have a fixed size of 2,048 bytes**. See Ando, ¶ [0090]. Ando never discloses another size determination for TS packs 34. Further, the fixed 2,048-byte size of TS packs 34 **is not set by any separate pieces of size data** on the recording media of Ando; rather, TS pack size appears to be a standard or default value for the operating scheme of Ando. See Ando, *generally*. As such, Ando does not disclose the separate thumbnail picture data allocation recited in claims 51, 54, 57, 60, and 63 as amended.

Takahashi and Taira lack information regarding thumbnail picture size and allocation, for which only Ando was previously applied. Because Takahashi, alone or in combination with any of Ando and Taira, fails to teach or suggest each and every element of claims 51, 54, 57, 60, and 63, these references cannot anticipate or render obvious claims 51, 54, 57, 60, and 63. Claims 52, 53, 55, 56, 58, 59, 61, 62, 64, and 65 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 51-65 under 35 U.S.C. § 103(a) is respectfully requested.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 51-65 in connection with the present application is earnestly solicited.

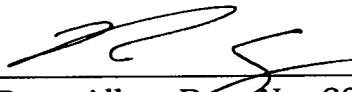
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ryan Alley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

  
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